**GOVT 2305   
Section One  
Why Do I Have To Take This Class?  
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Central Point: An educated population is considered to be necessary to preserve democratic republics. That’s why you have to take this class. It’s to make you a better – and more effective citizen.  
  
**Introduction**

I know you’ve been asking yourself this, so I thought I might try to justify why the state of Texas requires you to take not only a class in national government, but one on state and local government as well. Let’s start this off with a commonly used quote. At the conclusion of the constitutional convention in Philadelphia in September of 1787 a woman was alleged to have walked up to Benjamin Franklin and asked the following:   
  
*Mrs. Powel: "Well Doctor, what have we got, a republic or a monarchy?"   
Benjamin Franklin: "A republic if you can keep it“*

That gets to the heart of the reason. Here’s another quote more specific to Texas. It’s contained in the Texas Declaration of Independence and its was one of the grievances the signers of the document used to justify the revolution against Mexico:   
  
*“It [the Mexican Government] has failed to establish any public system of education, although possessed of almost boundless resources, (the public domain,) and although it is an axiom in political science, that unless a people are educated and enlightened, it is idle to expect the continuance of civil liberty, or the capacity for self-government.”*

Without education, self-government becomes impossible and civil liberties can be lost.   
  
So maybe that helps justify the government requirement. You are citizens of (or at least residents in) a [democratic republic](http://answers.yahoo.com/question/index?qid=20090209100726AAbYTuc), which means that you are the basic building block on which government rests. Depending upon your age and other qualifications, you may get to vote and participate in the governing process. This means that the stability of the republic depends on you, and people like you. That’s a frightening thought isn’t it? It was to the people who founded the nation anyway. When they thought about democracy, they thought about it in negative terms. More like a mobocracy than anything else. They believed that the general population was by passion and self-interest and could be led to support all sorts of things.  
  
**What is a Democratic Republic?**   
  
Before we continue (and in case you are curious) what is a Democratic Republic? Here’s the definition from Wikipedia:   
  
*“A* [*republic*](http://en.wikipedia.org/wiki/Republic) *is a type of government where the citizens choose the leaders of their country and the people (or at least a part of its people)have an impact on its government.”*

This is in contrast to a direct democracy where the eligible population votes directly to pass, implement and adjudicate the law. It is also in contrast to authoritarian governments where the people have no say in how the country is governed. So in a democratic republic, the people are sovereign, but do not rule directly. They vote for people in some – but not all – governing positions and hold them accountable in periodic elections. They provide the basis for the legitimate actions of government.

In a republic, institutions – specifically legislative, executive and judicial institutions – lie between the people and the law. In short, a republic is a governing system where the people rule themselves indirectly. Democratic republics are based on the people; its actions are the culmination of the preferences of the population. That is what “[consent of the governed](http://en.wikipedia.org/wiki/Consent_of_the_governed)” ultimately means. Consent is expressed subtly when individuals choose to follow or not follow the laws, or to pay taxes, or protect the republic when threatened, or participating in public events like elections. Everything governments do can be traced to a decision made by the general population. Think about that the next time you criticize the government for something it does. It is not a discrete and autonomous entity. At some point its actions can be traced to a grant of power supported by the general population – or at least an influential part of it.   
  
What’s so good about a Democratic Republic? This is a reasonable question. In an upcoming section on the Declaration of Independence we will draw this question out a bit further, but the simple answer is that it (1) provides – ideally – the ability to have a governing system based on “the people” and (2) a degree of stability on governance – meaning that those times the general public becomes temporarily irrational will not affect the basic governing system. Ideally – it creates a type of governing system that is both is both responsive to shifts in public opinion and stable. This is a difficult trick, especially considering that the general population has not always been considered to provide a solid foundation for the governing system.  
  
**Are People Inclined to Support Democratic Republics?**

No. At least that was the take of the nation’s founders[[1]](#footnote-1).   
  
People can consent to all sorts of things. People sometimes consent to authoritarian governments. As an example, it is controversially suggested that people in Russia like being ruled by an “iron fist” and prefer rulers like [Josef Stalin](http://en.wikipedia.org/wiki/Joseph_Stalin). This explains support for the increasingly authoritarian rule of Vladimir Putin. People can be persuaded to no longer support the concept of self-government. Oligarchy – where elites are allowed to rule - can be attractive to some often because democratic republics can be messy. In a future lecture we will discuss the concept of the [Iron Law of Oligarchy](http://en.wikipedia.org/wiki/Iron_law_of_oligarchy). This is the idea that despite all attempts to the contrary, inevitably a small group of people will come to dominate a governing system. They do so either by their own ambition or because other default and allow them to dominate.   
  
Why?   
  
The simply answer is that preserving democratic republics take work. It requires that people – the eligible voters anyway - be attentive and inclined to participate. People don’t always like to do so. Rates of participation are very low in the United States. Polls demonstrate that overall levels of knowledge about government and politics and very low.   
  
This creates problems. Here’s a quote by one of the more influential writers to the founders: *“The tyranny of a prince is not so dangerous to the public welfare as the apathy of a citizen in a democracy.” –* [*Montesquieu*](http://en.wikipedia.org/wiki/Montesquieu)*.*  
  
Effective citizenship requires a good amount of work. Here’s a more detailed explanation of the requirements of citizenship from [Jeane Kirkpatrick](http://www.commentarymagazine.com/article/dictatorships-double-standards/), a member of the Reagan Administration:

*“In his essay on Representative Government, John Stuart Mill identified three fundamental conditions [for the preservation of republics] . . . These are: "One, that the people should be willing to receive it [representative government]; two, that they should be willing and able to do what is necessary for its preservation; three, that they should be willing and able to fulfill the duties and discharge the functions which it imposes on them.*

*Fulfilling the duties and discharging the functions of representative government make heavy demands on leaders and citizens, demands for participation and restraint, for consensus and compromise. It is not necessary for all citizens to be avidly interested in politics or well-informed about public affairs–although far more widespread interest and mobilization are needed than in autocracies. What is necessary is that a substantial number of citizens think of themselves as participants in society’s decision-making and not simply as subjects bound by its laws. Moreover, leaders of all major sectors of the society must agree to pursue power only by legal means, must eschew (at least in principle) violence, theft, and fraud, and must accept defeat when necessary. They must also be skilled at finding and creating common ground among diverse points of view and interests, and correlatively willing to compromise on all but the most basic values.”*

[Click here for the full article](http://www.commentarymagazine.com/article/dictatorships-double-standards/) this quote is pulled from.

The point is that an educated, participatory and virtuous citizenry has always been considered to be necessary to the survival of a democratic republic, but there have been suspicions that historically the general population is not willing to put in the time necessary to preserve it, which is why there has been a general feeling throughout history that democratic republics are fragile. The framers of the Constitution believed this to be the case and as educated people, they were well versed in history – especially the history of Rome. Let’s try to understand what lessons they learned from that era so we get a general understanding of why they designed the system they did. “Democracy” was a bad word to many of the founders, probably not too different than the word “socialism” now. A popular term used in its place was “[mobocracy](http://www.merriam-webster.com/dictionary/mobocracy)” which was based on the Greek term “[ochlocracy](http://en.wikipedia.org/wiki/Ochlocracy)” which is a degraded form of democracy. In these systems, the general population might be enticed to support [demagogues](https://en.wikipedia.org/wiki/Demagogue).   
  
What is a [demagogue](http://www.merriam-webster.com/dictionary/demagogue)? “a political leader who tries to get support by making false claims and promises and using arguments based on emotion rather than reason.” It is defined as “a political leader in a [democracy](http://en.wikipedia.org/wiki/Democracy) who appeals to the emotions, fears, [prejudices](http://en.wikipedia.org/wiki/Prejudices), and [ignorance](http://en.wikipedia.org/wiki/Ignorance) of the lower classes in order to gain power and promote political motives. Demagogues usually oppose deliberation and advocate immediate, violent action to address a national crisis; they accuse moderate and thoughtful opponents of weakness.”

- This might be worth a quick glance: [An Analysis Of How Demagogues Work In Politics](http://www.ukessays.com/essays/politics/an-analysis-of-how-demagogues-work-in-politics-politics-essay.php).  
- And there’s this: [Donald Trump and ‘Demagogue](http://www.theatlantic.com/entertainment/archive/2015/12/what-we-talk-about-when-we-talk-about-demagogues/419514/).’

Here’s the problem: How do we draw the distinction between demagogues that are harmful to the republic and politicians that are simply reaching out to the electorate? If the assumption is that demagogues take advantage of ignorance and anger in order to attain political power, then the answer might be in ensuring the general population has a level of education to rationally respond to the messages they receive. But this is no guarantee. As we will see soon enough, the Framers of the Constitution were concerned that a republic could prove fatal not only to the nation, but to their own personal self-interests. There was some support in retaining the oligarchic nature of the British governing system because in their opinions it was more likely to check the rise of demagoguery, and preserve the republic.   
  
Where did they come up with this idea? This was their assessment of the lessons of ancient Rome[[2]](#footnote-2) – specifically the fate of the Roman Republic and the factors that allowed it to turn into empire. Here’s a quick look at that story. It helps us understand the allusions made to that period of time by the various groups arguing for and against the 1787 Constitution. Here’s a brief overview of the relevant history.  
  
**The Story of the Roman Republic**  
  
Few lessons were as strong as the those learned by studying the actors that led the Roman Republic to become an empire in 27 BC with the rise of Augustus Caesar. When we look at the Federalist Papers we will note that its authors – James Madison especially – argued that the Constitution of 1787 was designed with the lesson of Rome in mind. It’s goal was to establish a republic that would last indefinitely. This despite the fact that there was little evidence at that time that such a thing was possible.  
  
It was commonly held by the classically educated that governments went through a cycle. The Ancient Greeks held such a view – [which they called Kyklos](http://en.wikipedia.org/wiki/Kyklos) – which roughly argued that societies begin in a state of anarchy, which is then contained and given structure by a monarch, which degenerates into tyranny which is overturned and established as an aristocracy which also degenerates and is overturned by the general population into a democracy. The democracy then also degenerates into anarchy which starts the whole cycle over again.   
  
A 19th century artist, Thomas Cole, made this the subject of a series of paintings called [The Course of Empire](http://en.wikipedia.org/wiki/The_Course_of_Empire). He argued that nations went through the following states: The Savage State followed be the Pastoral State followed then by the Consummation of Empire then Destruction and finally Desolation, which would presumably be followed by a new Savage State. The point was that political systems have life cycles, they develop, then decay. Political commentators like to speculate on where we might be in this timeline. Click here for a [talk](http://www.ted.com/talks/niall_ferguson_the_6_killer_apps_of_prosperity.html) by [Niall Ferguson](http://en.wikipedia.org/wiki/Niall_Ferguson) (well-regarded smart guy) provides an alternative take on the rise and decline of current western civilization.   
  
Since the founders had committed themselves to establishing a democratic republic, they were attuned to the problems unique to that system. They were especially concerned about the fact that republics tended to not last very long. History provides many examples of republics losing public support and falling into anarchy and then despotism. This was a fact recognized by the many of the founders of the United States – at least those who wrote the Constitution. For proof, they pointed out the respective fates of [Ancient Athens](http://en.wikipedia.org/wiki/Ancient_Athens) and the [Roman Republic](http://en.wikipedia.org/wiki/Ancient_Rome). Neither lasted indefinitely, each crumbled after a while.  
  
The founders participated in an ongoing inquiry about why each ultimately failed. Suspicions were aimed at the fact that each was based on the people. Perhaps this did not allow a strong enough foundation for their governments. They were especially interested in the factors that led the Roman Republic to transition into the [Roman Empire](http://en.wikipedia.org/wiki/Roman_Empire). They wanted to determine how to prevent this from occurring in the United States. The point being that it is one thing to establish a republic, another to sustain it. The nation’s founders were (generally) classically educated and were familiar with the [history of Ancient Rome](http://www.rome.info/ancient/history/). Many of their debates made explicit references to this period. It was assumed that participants in political debates understood the references.   
  
This is what they were concerned about: After almost 500 years as a [Republic](http://en.wikipedia.org/wiki/Roman_Republic) (509 BC–27 BC), where it was ruled by its citizens, Rome became an [empire](http://en.wikipedia.org/wiki/Roman_Empire), ruled by a single individual. The driving force behind this change was [Julius Caesar](http://en.wikipedia.org/wiki/Julius_Caeser).[[3]](#footnote-3)   
A few videos on You Tube try to explain this transition. Here are a few you might want to watch:  
  
[Rome: The Fall of the Republic (1-4)](http://www.youtube.com/watch?v=CG4hSCQabYc&feature=related)

An [empire](http://en.wikipedia.org/wiki/Empire) can be defined as “A major political unit having a territory of great extent or a number of territories or peoples under a single sovereign authority; *especially* **:** one having an emperor as chief of state. The territory of such a political unit. Something resembling a political empire; *especially* **:** an extensive territory or enterprise under single domination or control.” It is a governing system where the people are ruled by an emperor and have little ability, if any, to directly participate in public affairs. During the Roman empire, all civil and military power rested with an [emperor](http://en.wikipedia.org/wiki/Roman_Emperor). The people had no say in governance, though emperors had to appease them in order to minimize the possibility of rebellion.   
  
The irony is that the transition from republic to empire was supported by the general public. This was due to factors that became prevalent during the [late period](http://www.roman-empire.net/republic/laterep-index.html) of the Roman Republic. Rome became chaotic, unstable, and ungovernable. Leaders were often corrupt and unpopular – or at least that’s how the general public saw them. This instability and corruption led to a general contempt towards the governing system, which led to civil war. [Julius Caesar](http://en.wikipedia.org/wiki/Julius_Caeser) took advantage of this chaos and worked to consolidate power. He had been appointed [consul](http://en.wikipedia.org/wiki/Roman_consul) by [the Senate](http://en.wikipedia.org/wiki/Senate_of_the_Roman_Republic), which possessed the executive powers of the state, but used this position to gradually expand his powers over Senate. He failed because he was [assassinated](http://en.wikipedia.org/wiki/Assassination_of_Julius_Caesar) by Senators who were aware of his plans. You probably heard the phrase [Et tu, Brute?](http://en.wikipedia.org/wiki/Et_tu,_Brute%3F). (Here’s some information about [Marcus Junius Brutus](http://en.wikipedia.org/wiki/Marcus_Junius_Brutus), one of the conspirators – these names will matter soon enough)

[Click here for a scene from HBO’s *Rome*](http://www.youtube.com/watch?v=7FvgP5hO99o&feature=related) which recreates the scene.  
  
Again, much of what Caesar did was done with the support of the people of Rome who were becoming angry with a Senate they believed to be corrupt and more supportive of the rights of wealthy landowners than of them. They supported the expansion of Caesar’s power. This is the key point: The general population was actually supportive of the shift from a republic to an empire. This fact concerned the framers of the US Constitution. It is a key lesson learned by the framers of the Constitution. This is what they hoped to prevent when they designed the Constitution. Since the people of Rome supported Caesar’s usurpation of power, they believed democracies were problematic. As we will note soon enough, they were wary of the democratic systems established in the several states under the Article of Confederation. Since Julius Caesar was assassinated, his attempt at consolidating power failed, but his nephew [Augustus Caesar](http://en.wikipedia.org/wiki/Augustus) would succeed.  
  
- Here’s a quick [video](http://www.youtube.com/watch?v=njboMJDSCKQ&feature=related) about him.  
- And here is a claim that [he was one of history’s great leaders](http://www.vox.com/2014/8/19/6044617/caesar-augustus-died-2000-years-ago-heres-why-he-was-one-of-historys).

And here’s a peculiar irony: the empire he created prospered. After the transition, the chaotic Roman republic became a more peaceful empire. After Augustus there would be over 200 years of peace in Rome, This was called [the Pax Romana](http://en.wikipedia.org/wiki/Pax_Romana).   
This creates a dilemma: Which system is preferable? Do you want to be free in a system that is chaotic and violent or one that is less free (or at least one where you cannot participate politically) but where you are secure and prosperous?   
  
Is it possible to be both?

A bit more history from the movies: The emperor who would end the Pax Romana was [Commodus](http://en.wikipedia.org/wiki/Commodus) – the guy from the Gladiator. It is argued that the [decline of the Roman Empire](http://en.wikipedia.org/wiki/Decline_of_the_Roman_Empire) began with his rule. Despite the fact that the Roman Empire seemed successful for a period of time, it was argued that the factors developed during the period of the republic wand during the empire which made it vulnerable. Eventually the Roman Empire would fall prey to outside and inside forces, then split and wither away.  
  
**How does this apply to our current situation?**  
This is a tough question to answer because it is so easily politicized – meaning that it serves a political purpose and does not necessarily reflect reality. But there are commonly questions asked about whether the American population is up to the task of self-government. If we fall short then – like the Roman Republic – power may well fall to a concentrated elite. Democracy collapses into oligarchy or worse. The point behind the story of the Roman Republic is that they tend to fall apart, largely because they lose the support of the general population, which then supports the rise of a powerful leader to cure what ails them – all the while giving up their ability to govern themselves. Republics aren’t taken over so much as they are given up.   
  
That’s the purpose of the quote I posted above attributed to Benjamin Franklin:   
  
*Mrs. Powel: "Well Doctor, what have we got, a republic or a monarchy?"   
Benjamin Franklin: "A republic if you can keep it“*  
  
[Abraham Lincoln](http://en.wikipedia.org/wiki/Abraham_Lincoln) would also ask the question, posed differently, during [a challenge](http://en.wikipedia.org/wiki/American_Civil_War) to the preservation of the republic:

*“Four score and seven years ago our fathers brought forth on this continent a new nation, conceived in Liberty, and dedicated to the proposition that all men are created equal. Now we are engaged in a great civil war, testing whether that nation, or any nation, so conceived and so dedicated, can long endure. …”*  
  
This of course is the opening sentence of the [Gettysburg Address](http://en.wikipedia.org/wiki/Gettysburg_Address). You may hear from time to references to something called the American Experiment. This can be defined in many ways, but at the heart of it is the question whether self-government is possible. Can the population of a nation govern itself or will it inevitably be governed by elites of some sort. Here’s how Alexander Hamilton framed the issue:   
  
“It has been frequently remarked that it seems to have been reserved to the people of this country, by their conduct and example, to decide the important question, whether societies of men are really capable or not of establishing good government from reflection and choice, or whether they are forever destined to depend for their political constitutions on accident and force.” - Publius (Alexander Hamilton), [Federalist #1](http://en.wikipedia.org/wiki/Federalist_No._1)

What choices will people make when it comes down to how they want to be governed?  
  
**The Problem of Human Nature**  
  
*"Public virtue cannot exist in a nation without private, and public virtue is the only foundation of republics."*   
- [John Adams](http://en.wikipedia.org/wiki/John_Adams). [What on earth is  [public virtue](http://wiki.answers.com/Q/What_is_public_virtue)?]  
  
So why are republics difficult to maintain? The founders argued that the basic problem stems from [human nature](http://en.wikipedia.org/wiki/Human_nature). Are we naturally co-operative or do we like to fight? Are we willing to make sacrifices for the greater good or are we purely self-interested? Can we contain our ambition? A democratic republic – which rests on the people - can only be maintained if the people are willing to look after a society’s long term needs and set personal interests and ambitions aside.  
  
The founders were not certain that the general public (you and I) were up to the task. They assumed that people tended to be more focused on short term personal needs, which is not conducive to the maintenance of a Republic. They also assumed the general population lacked the knowledge necessary to govern effectively. When we look at the [Federalist Papers](http://en.wikipedia.org/wiki/Federalist_Papers), we will note the authors assumed that human nature was flawed – but also unchangeable - so the design of the constitution had to compensate for that. They were equally suspicious of their own motives as well as those of their fellow founders.  
  
Two traits specifically stood out.

1 - Self Interest: People were assumed to be more likely to act in accordance with their own needs – or those of the group they identify with – rather than the needs of the nation, especially its long term needs.

2 - Ambition: The people most likely to be involved politically are the ones driven by a desire to attain more and more control – of not total control of the state.

James Madison addresses how the Constitutional structure prevents those traits from having negative effects in – respectively – Federalist #10 and #15. We will read through those documents soon enough. Many argued that the role of the general population needed to be curtailed in order to maintain stability. Here’s a very telling quote from [Alexander Hamilton](http://en.wikipedia.org/wiki/Alexander_Hamilton).

*“For my part, I am not much attached to the majesty of the multitude, and therefore waive all pretensions (founded on such conduct), to their countenance. I consider them in general as very ill qualified to judge for themselves what government will best suit their peculiar situations; nor is this to be wondered at. The science of government is not easily understood. Cato will admit, I presume, that men of good education and deep reflection, only, are judges of the form of a government; whether it is constituted on such principles as will restrain arbitrary power, on the one hand, and equal to the exclusion of corruption and the destruction of licentiousness on the other”* - ([Caesar #2](http://www.infoplease.com/t/hist/federalist/caesar2.html)) 10/17/1787 Alexander Hamilton

This, by the way, was not an especially wise thing to say politically. Neither was it wise to sign the document “Caesar.” He would not repeat this mistake when he co-wrote the Federalist Papers and signed them “[Publius](http://en.wikipedia.org/wiki/Publius_Valerius_Publicola).” “Publius” refers to [Publius Valerius Publicola](http://en.wikipedia.org/wiki/Publius_Valerius_Publicola) who was one of the Romans responsible for establishing the Roman Republic and creating the laws that would govern it. It also tells us something about attitudes towards popular participation by those in charge of politics at that time. They saw little reason to expand participation beyond a small set of elites. The expansion of participation over time will occupy us in future sections.

[Here’s a link to a speech given](http://press-pubs.uchicago.edu/founders/documents/v1ch16s26.html) by [James Madison](http://en.wikipedia.org/wiki/James_Madison) where he wrestles with the expansion of the right to vote to those without property. Like many other wealthy landowners he was worried that expanding the right to participate politically to non-property owners would allow them to vote against their property rights.

**The Problem with Freedom**  
  
Here’s an irony. Democratic republics tend to develop the very factors that will lead to their demise. The ability of people to govern themselves assumes a degree of individual freedom – we will cover this issue separately. For now it’s best to simply consider that freedom leads to conflict. The freer people are, the more they can engage in conflict over social affairs, including how government ought to be run and over who ought to be in charge. This can create further dissension that can lead to the dismantling of the republic.  
  
Here is a central question they explored: Is order and liberty possible? If you allow for individual freedom are you making it difficult for societies to function in an orderly manner? If you have the time, here’s a provocative read: [Renewing Our Experiment in Ordered Liberty](http://www.acton.org/pub/religion-liberty/volume-8-number-5/renewing-our-experiment-ordered-liberty)

American Government is founded, in a sense, on a contradiction. While it is based on the people (popular sovereignty) historically the people have demonstrated themselves not to be a solid foundation for government. At least the elites – again - thought so. Do you notice a theme? The country’s founders did not necessarily expect the republic to last. Previous republics had not. One of history’s lessons is that democracies tend to be very short lived. That was what they took not only from Rome, but also the Athenian Democracy.  
  
The Wikipedia entry on Athenian democracy has a [section on the criticism](http://en.wikipedia.org/wiki/Athenian_democracy) of it that details the deficiencies the founders were concerned about. The democracy would eventually be converted into an imperialist empire. Similar criticism were made regarding the [English Commonwealth](http://en.wikipedia.org/wiki/Commonwealth_of_England) as well as the America under the Articles of Confederation. Governing was chaotic and unstable, and the rights of the minority – which usually referred to property owners - were not protected.

This suggested that self-government may not be possible, perhaps the natural state of government was rule by the few over the many in some permanent arrangement like a monarchy. But the American people were in a unique position to determine whether or not this was possible.

**The Need for an Educated Public***"If a nation expects to be ignorant and free in a state of civilization, it expects what never was and never will be. If we are to guard against ignorance and remain free, it is the responsibility of every American to be informed."* – Thomas Jefferson

Perhaps this is because the bulk of the elites who participated in the revolutionary ear and helped establish the constitutional system were highly educated, but the assumption was that a democratic republic need to rest on an educated public. So the solution to the problems of instability in a republic is expanded access to education – specifically, public education. It is assumed that educated citizenry can more effectively govern itself than an uneducated one.

Here’s commentary along those lines : - [Education for Civitas: The Lessons Americans Must Learn](http://www.civiced.org/papers/papers_butts01.html)  
  
*“Remember that the very idea of a liberal education was originally linked with the practice and preparation for free citizenship--in the polis of democratic Athens and in the civitas of republican Rome. Each generation was to acquire the civic knowledge and commitments of "civitas." This was also the view of discerning founders of the American Republic and of their successors who decided that the responsibilities and the rights of American citizenship in a democratic republic should be defined by law and nourished by a common civic education and civic culture rather than by kinship, ethnicity, race, religion, class, or hereditary status.”*Thomas Jefferson was an early promoter of civic education. He was a driving force behind two pieces of legislation that promoted education in the new republic.   
  
1 - The first was a legislation he presented to the Virginia legislature in the late 1770s when he was governor of the state. It was titled A Bill for the More General Diffusion of Knowledge.  
  
For our purpose here, the preamble is most important.  
  
- [Preamble to a Bill for the More General Diffusion of Knowledge](http://press-pubs.uchicago.edu/founders/documents/v1ch18s11.html) [But here is a [link to the entire bill](http://oll.libertyfund.org/?option=com_staticxt&staticfile=show.php?title=755&chapter=86186&layout=html&Itemid=27).]

*“Whereas it appeareth that however certain forms of government are better calculated than others to protect individuals in the free exercise of their natural rights, and are at the same time themselves better guarded against degeneracy, yet experience hath shewn, that even under the best forms, those entrusted with power have, in time, and by slow operations, perverted it into tyranny; and it is believed that* ***the most effectual means of preventing this would be, to illuminate, as far as practicable, the minds of the people at large, and more especially to give them knowledge of those facts, which history exhibiteth, that, possessed thereby of the experience of other ages and countries, they may be enabled to know ambition under all its shapes, and prompt to exert their natural powers to defeat its purposes.****” – From the Preamble.*

We will cover this point more clearly soon enough, but the founders understood “tyranny” as being concentrated political power. The purpose of the separated powers is to prevent this concentration. Jefferson’s point is that this is likely to occur – it’s human nature after all for powerful people to be ambitious and want to expand their power. What is our indication that they are doing so? In a nutshell, that is what this class is about – what an educated republic is supposed to be able to do. To recognize attempts to establish tyranny, and how to adequately respond to it.   
  
2 - The second was The Northwest Ordinance

[The Northwest Ordinance](http://en.wikipedia.org/wiki/Northwest_Ordinance) (1787) established the rules regarding the development of the territory that would become Ohio, Michigan, Indiana, Illinois and Wisconsin ([click here for background from the Library of Congress](http://www.loc.gov/rr/program/bib/ourdocs/northwest.html)).  
  
It encouraged the development of schools.

*Art. 3. Religion, morality, and knowledge, being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged.*

Education is considered to be one of the powers reserved to the states, though the national government has expanded its jurisdiction over education in recent decades. We cover [education policy](http://en.wikipedia.org/wiki/Education_in_the_United_States) in GOVT 2306, and we more fully look at the efforts of the national government to enhance the ability of state and local governments to educate its citizens and make them capable of self-government. This has become an area of tremendous controversy over the years because there are conflicts over what it means to properly prepare people for self-government, in addition to whether self-government is the primary end of education. We wade into that issue elsewhere.  
  
**So, is the general public educated enough to preserve the republic?**  
l will repeat a quote from above: *“The tyranny of a prince is not so dangerous to the public welfare as the apathy of a citizen in a democracy.” –* [*Montesquieu*](http://en.wikipedia.org/wiki/Montesquieu)*.*  
  
There are many more along those lines and they all get to the heart of what made the founders nervous about democracies. Government based on popular consent requires an educated population capable of providing a solid basis for governing. An understanding of the principles of government is argued necessary to maintain the republic. That’s what this class is supposed to accomplish. But here’s the problem – it is two-fold.  
  
- First, popular engagement is very low – people don’t like to vote. Not do they like to involve themselves in political matters. Here’s proof:   
  
- [We probably just saw one of the lowest turnout elections in American history](http://www.washingtonpost.com/blogs/the-fix/wp/2014/11/11/we-probably-just-saw-one-of-the-lowest-turnout-elections-in-american-history/).  
- [Voter Turnout Plummeting in Local Elections](http://www.governing.com/topics/politics/gov-voter-turnout-municipal-elections.html).  
  
- Second, most public opinion surveys demonstrate that people lack the knowledge about governmental issues, and the attentiveness to politics that was expected necessary by the founders. An old study once pointed out that more people could name the Three Stooges and any three members of the Supreme Court.  
  
- [PEW Research](http://pewresearch.org/pubs/1804/political-news-quiz-iq-deficit-defense-spending-tarp-inflation-boehner)  
- [How Dumb Are We?](http://www.thedailybeast.com/newsweek/2011/03/20/how-dumb-are-we.html)

Neither bodes well for the vitality of the republic – nor necessarily for its survival. Apathy and ignorance are argued to threaten democracy. They allow for power to accumulate upwards and may lead a democratic republic to become more oligarchic or autocratic in nature.   
  
**-** [Is voter ignorance killing democracy?](http://www.salon.com/books/it/1999/11/22/voter/print.html)   
- [Low voter turnout empowers the extremes](http://www.newsleader.com/story/opinion/editorials/2015/06/06/low-voter-turnout-empowers-extremes/28598151/).  
- [When Ignorance Isn’t Bliss: How Political Ignorance Threatens Democracy](http://www.cato.org/publications/policy-analysis/when-ignorance-isnt-bliss-how-political-ignorance-threatens-democracy).  
- [Public Ignorance and Democracy](http://www.cato.org/sites/cato.org/files/serials/files/policy-report/1999/7/cpr-21n4.html).

This creates a dilemma for democratic republics that wish to be governed well. This is especially true for one – as in the United States – where the suffrage would be gradually expanded. As we saw with Hamilton, many founders expected that the mass public would be incapable of self-government and purposely limited participation to a ruling class that would have the ability to govern effectively. There are still arguments that despite the fact that we like in a democracy and that it is assumed that the majority rules, there are voices that argue that large levels of public ignorance means that elected officials should not pay attention to public opinion polls.   
  
For example: Cato Institute: [Why Policymakers Should Ignore Public Opinion Polls](http://www.cato.org/pubs/pas/pa402.pdf).

This was one of the reasons why participation was limited to property owners for much of American history. Here’s an instructive quote: [*Those who own America ought to govern it.*](http://en.wikiquote.org/wiki/John_Jay)- [John Jay](http://en.wikipedia.org/wiki/John_Jay)

Jay not only helped write the Constitution, he co-wrote some of the Federalist Papers, and served as the first Supreme Court Justice. He was one of the elites in early America that established and controlled the governing system. And as you can see, he was not a fan of broad suffrage, but it happened anyway. Since the early years of the republic, suffrage has expanded considerably. Participation has broadened. We have evolved into a more full democracy than we were at our founding. This is a good thing in that more people are able to have influence over the laws that govern them, but problematic in that it leads to even more conflict and increases the possibility of social unrest due to ambition and self-interested behavior. How can participation be expanded without undermining the stability of the republic?  
  
 **Establishing the Government Requirement in Texas**  
An educated population was also assumed to be important to the founders of the [Republic of Texas](http://en.wikipedia.org/wiki/Republic_of_Texas), at least to the ruling class. One of the grievances in the [Texas Declaration of Independence](http://en.wikipedia.org/wiki/Texas_Declaration_of_Independence) concerned the Mexican government’s refusal to establish schools.

*“It [the Mexican Government] has failed to establish any public system of education, although possessed of almost boundless resources, (the public domain,) and although it is an axiom in political science, that unless a people are educated and enlightened, it is idle to expect the continuance of civil liberty, or the capacity for self government.”*

Texas’ founders feared that the denial of educational opportunities for Texans was a way to minimize their ability to resist the Mexican government. This went along with a variety of other factors they saw as indicative of the Mexican government’s desire to expand its control over not just the Texans, bit all the other states within the Mexican Republic. We will go over this history soon.   
  
We can trace the promotion of both public K-12 education as well as higher education in the state to this moment, but notice that it picks up the themes articulated by Jefferson and the rest of the founders of the American Republic. That said, the state has a history of not providing equal access to education all groups in the state. [Access to quality education](http://www.historylearningsite.co.uk/civil_rights_education.htm) across races was a [principal goal of the civil rights movement](http://www.loc.gov/exhibits/brown/brown-segregation.html). Greater access to education helps facilitate political participation. Assuming that is the case, minimizing access to education helps suppress participation.  
  
For more detail, here’s information from the Texas State Historical Association.  
  
- Education in Texas  
- [Education for African Americans in Texas](https://www.tshaonline.org/handbook/online/articles/kde02).  
- [Education for Mexican Americans in Texas](https://www.tshaonline.org/handbook/online/articles/khmmx).  
  
Starting in 1845, each Texas Constitution has contained a separate article mandating that the state support and maintain public schools. This includes the Constitution of 1876 – which forms the basis of the current constitution. It has been amended many times since it was ratified.   
  
- Click here for the original wording of [Article VII, which was titled Education – The Public Free Schools](http://tarlton.law.utexas.edu/constitutions/texas1876/a7).  
- Click here for [the current wording of the same article](http://www.constitution.legis.state.tx.us/).

The article begins by stating the following:   
  
***SECTION 1.*** *A general diffusion of knowledge being essential to the preservation of the liberties and rights of the people, it shall be the duty of the Legislature of the State to establish and make suitable provision for the support and maintenance of an efficient system of public free schools*.

This is a repetition of the themes in the Texas Declaration of independence. Consider the language for a moment.   
Without knowledge, the rights and liberties of the people cannot be maintained.  
  
Let’s review the statement made in the Texas Declaration of Independence

*“ . . . it is an axiom in political science, that unless a people are educated and enlightened, it is idle to expect the continuance of civil liberty, or the capacity for self government.”*

Section 10 of Article VII allows for the development of a university:   
  
*Sec. 10.  ESTABLISHMENT OF UNIVERSITY; AGRICULTURAL AND MECHANICAL DEPARTMENT. The legislature shall as soon as practicable establish, organize and provide for the maintenance, support and direction of a University of the first class, to be located by a vote of the people of this State, and styled, "The University of Texas," for the promotion of literature, and the arts and sciences, including an Agricultural, and Mechanical department.*

Section 13 allows for the establishment of Texas A&M, Section 14 for Prairie View A&M and the rest are listed in Section 17. These are 4 year colleges and universities. In the 1890s, a push for two year colleges began in the state. In fact the [junior college movement](http://www.tshaonline.org/handbook/online/articles/kdj02) began in Texas before it spread nation-wide. [Chapter 130](http://www.statutes.legis.state.tx.us/Docs/ED/htm/ED.130.htm) of the Texas Education Code outlines the design and the rules regarding junior colleges (now community colleges) in the state.   
[Alvin Community College](http://en.wikipedia.org/wiki/Alvin_Community_College) is authorized in Section 130.163.

In 1965, the Texas Legislature established the [Texas Higher Education Coordinating Board](http://www.thecb.state.tx.us/) ([TSHA website](http://www.tshaonline.org/handbook/online/articles/mdtpx)) “to provide unified planning and development of a comprehensive system of [higher education](http://www.tshaonline.org/handbook/online/articles/khhxr).” This is the part of the [Education Code](http://www.statutes.legis.state.tx.us/?link=ED) ([Chapter 61](http://www.statutes.legis.state.tx.us/Docs/ED/htm/ED.61.htm)) that applies to the Texas Higher Education Coordinating Board. It sets curriculum for state colleges and universities, including the requirement that you have to take two classes in order to get a degree form a public university (note that this requirement does not apply to private institutions).

A process exists where the requirement is reconsidered from time to time, and on occasion it’s adjusted. The last adjustment occurred in 2012 when separate classes were created for American Government (GOVT 2305) and Texas Government (GOVT 2306). The content of college classes are rarely controversial, but they can be very controversial when it comes to K-12. Ideological groups often spar over what the precise content of both government and history classes should be.   
  
The State Board of Education – which is an elected board as opposed to an appointed board – is often at the center of these conflicts. We deal with these later in class, but here are some links to articles which highlight this controversy.   
  
- Breitbart: [Texas Lawmakers to Eliminate Controversial “Anti-American” Curriculum](http://www.breitbart.com/big-government/2013/05/22/texas-lawmakers-announce-plan-to-eliminate-controversial-cscope-curriculum-program-from-schools/).  
- Texas Freedom Network: [A Triumph of Ideology over Ideas](http://www.tfn.org/site/DocServer/FINAL_Lester_GOV.pdf?docID=4621).  
- NYT: [Texas Conservatives Win Curriculum Change](http://www.nytimes.com/2010/03/13/education/13texas.html?_r=0).  
- [Much Ado About Texas](http://www.societyforhistoryeducation.org/pdfs/N13_WilliamsandMaloyed.pdf).

1. By the way, if you are unsure about who the founders were, [click here](http://en.wikipedia.org/wiki/Founding_Fathers_of_the_United_States). The term refers to any of the individuals who were politically active during the founding era of the nation. This is different than the term “framers” which refers to the people who helped write the Constitution. Political participation was very limited at that period of time and largely limited to propertied elites who were argued to be more capable of the reasonable decision making a republic required. Political participation would not begin to be expanded until decades following ratification [↑](#footnote-ref-1)
2. And – by the way – it’s worth understanding what is meant by a [classical education](https://www.circeinstitute.org/resources/what-classical-education). While educational levels varied in the United States, most elites were highly educated, usually classically. This meant that they were familiar with historical works of political theory and philosophy and had the time to reflect on what these meant for a properly working political order. As a consequence they – more or less - shared an outlook on the lessons that history provided on what works and what doesn’t work. This entered into the debate of the day – especially the debate over the ratification of the Constitution. Supporters and opponents tended to adopt the names of key Roman figures in order to provide a frame of reference for their arguments. We’ll note that some of those who wrote for and against the ratification of the Constitution used pseudonyms based on figures from classical Rome. These included: Caesar, Publius, Brutus, and Cato. [↑](#footnote-ref-2)
3. By the way, Great Britain also had a problematic and brief experience with a republican system (the [Commonwealth](http://en.wikipedia.org/wiki/Commonwealth_of_England)) under [Oliver Cromwell](http://en.wikipedia.org/wiki/Oliver_cromwell) from 1649 – 1660. It briefly turned into a military dictatorship prior to the death of Cromwell and the reestablishment of the monarchy.   
    [↑](#footnote-ref-3)